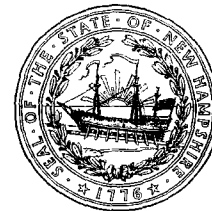




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

October 24, 2005

CERTIFIED MAIL
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RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

Monadnock Paper Mills, Inc.
117 Antrim Road
Bennington, NH 03442-4205

Attn: Michelle Hamm, Manager of Environmental Services

Re: Monadnock Paper Mills, Inc.
Bennington, New Hampshire
EPA ID # NHD986472132

Dear Ms. Hamm:

On September 21, 2005, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Monadnock Paper Mills, Inc. ("Monadnock") in Bennington, New Hampshire. The purpose of the inspection was to determine Monadnock's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiencies in Monadnock's hazardous waste management program were documented:

1. Env-Wm 509.02(a)(2) - Personnel Training

A review of Monadnock's personnel training records revealed that two (2) employees, Robert Lewis and Bill Edes, who were assigned to the position of secondary emergency coordinator in 2004, had not received initial hazardous waste training.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for personnel handling hazardous waste, and requires full quantity generators to maintain specific documents and records related to personnel training. 40 CFR 265.16(b) also requires facility personnel to complete the program of training within six months of employment or assignment to a new position.

DES requested that Monadnock conduct and document hazardous waste training and annual reviews for all employees who have hazardous waste responsibilities, including

the emergency coordinators; and ensure that training is completed within six months of employment or assignment to a new position.

In a September 30, 2005 submittal, Michelle Hamm, Manager of Environmental Services, stated that "all facility emergency coordinators have now received the up to date training". No further action is required.

2. Env-Wm 509.02(a)(5) - Contingency Plan

At the time of the inspection, Monadnock's contingency plan was confirmed to be incomplete. Specific deficiencies are listed in the attached Contingency Plan Module.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that Monadnock revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

In the September 30, 2005 submittal, Michelle Hamm provided a complete contingency plan. No further action is required.

3. Env-Wm 509.03 – Satellite Storage

At the time of the inspection, Monadnock was handling one (1) 55-gallon container of hazardous waste "Lead Contaminated Debris" (D008) located in the lower level of building 6 as a satellite storage container. The location of this container did not meet the definition of "at or near the point of generation" and was not "under the control of the operator". See the attached container inventory ("Inventory").

Env-Wm 509.03 requires that all satellite storage containers be located at or near any point of generation where the wastes initially accumulate and be under the control of the operator of the process generating the waste.

DES requested that Monadnock manage the container of hazardous waste "Lead Contaminated Debris" located in the lower level of building 6 according to the requirements of Env-Wm 509.02 (i.e., full storage area regulations). Alternatively, Monadnock was given the option of managing the container at the point of generation according to the requirements of Env-Wm 509.03.

In the September 30, 2005 submittal, Michelle Hamm stated that a second satellite storage area for lead contaminated debris had been added near the boiler room. In an October 12, 2005 submittal, Michelle Hamm stated that the satellite storage area in building 6 has been moved to the maintenance area near the point of generation. No further action is required.

4. Env-Wm 512.01(a)(1) – Recordkeeping - Manifest Copies

At the time of the Inspection, Monadnock did not have on file copies of two (2) hazardous waste manifests certified by the designated facility, including:

- (a) Manifest No. MAQ409943, dated February 14, 2003; and
- (b) Manifest No. NHH0060986, dated September 29, 2004.

Env-Wm 512.01(a)(1) requires that the generator keep all manifest copies for three (3) years from the date of signature by the generator.

DES requested that Monadnock obtain copies of the hazardous waste manifests listed above, and properly retain these copies and copies for all future shipments of hazardous waste.

In the October 12, 2005 submittal, Michelle Hamm provided copies of the above-listed manifests that were certified by the designated facility. No further action is required.

5. Env-Wm 807.06(b)(4) - Standards for Generators of Used Oil Being Recycled

At the time of the inspection, Monadnock was storing four (4) containers of used oil, destined for recycling, which were not labeled with the words "Used Oil for Recycle." See the attached Inventory.

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling label their containers and tanks with the words "Used Oil for Recycle" at all times during accumulation and storage.

DES requested that Monadnock label all containers of used oil destined for recycle with the words "Used Oil for Recycle" at all times during accumulation and storage.

In the September 30, 2005 submittal, Michelle Hamm stated that personnel had been instructed to transfer used oil into a properly labeled container immediately after it is generated. No further action is required.

6. Env-Wm 807.06(b)(5) – Standards for Generators of Used Oil Being Recycled

At the time of the inspection, five (5) containers of used oil, destined for recycling, were not closed. See the attached Inventory.

Env-Wm 807.06(b)(5) requires that used oil be placed in containers or tanks that remain closed at all times, except to add or remove used oil.

DES requested that Monadnock keep all containers and tanks closed at all times except to add or remove used oil. Safety funnels that thread into the bung and have closeable lids that seal are acceptable for this purpose.

In the September 30, 2005 submittal, Michelle Hamm stated that the open containers of used oil for recycle had been closed and that personnel had been instructed to keep used oil for recycle containers closed at all times. No further action is required.

7. Env-Wm 1102.03(c) and Env-Wm 1112.03(a) – Universal Waste Lamp Management

At the time of the inspection, three (3) universal waste lamps were not stored in containers. See the attached Inventory.

Env-Wm 1112.03(a) requires universal waste handlers to store intact and broken universal waste lamps in container(s) that meet the requirements of Env-Wm 1102.03(c). Env-Wm 1102.03(c) requires that containers must be closed, compatible with the universal waste and its contents, and free of defects, design characteristics or damage.

DES requested that Monadnock ensure that all universal waste lamps are stored in containers that are closed; compatible with the universal waste and its contents; and free of defects, design characteristics, or damage.

In the September 30, 2005 submittal, Michelle Hamm stated that the universal waste lamps were now properly stored in containers. No further action is required.

8. Env-Wm 1102.03(c)(1) – Universal Waste Lamp Management

At the time of the inspection, two (2) containers of universal waste lamps were not closed. See the attached Inventory.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that Monadnock ensure that all containers of universal waste lamps are closed, except when universal waste is being added to or removed from the container.

In the September 30, 2005 submittal, Michelle Hamm stated that the universal waste lamp containers are now closed. No further action is required.

The September 21, 2005 inspection revealed that Monadnock generates contaminated cloth wipers from maintenance cleaning operations. According to Michelle Hamm, Manager of Environmental Services, the wipers are collected for laundering by an outside contractor (E & R Cleaners). Inspectors observed Monadnock's storage of contaminated wipers in the boiler room and the Maintenance/Fork Lift repair rooms. At the time of the inspection, the collection

container in the Maintenance Room was not marked with the words "Contaminated Wipers for Laundering." Inspectors advised Ms. Hamm that contaminated wipers, generated at the facility, are subject to the DES Environmental Fact Sheet #WMD-HW-6, "Contaminated Cloth Wipers for Laundering" (See enclosed). DES requests that Monadnock comply with the fact sheet by ensuring that containers of contaminated cloth wipers are properly marked and remain closed.

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of documents that corroborate the corrective measures taken by Monadnock to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may re-inspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This report will be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, the Division currently maintains a Hazardous Waste Assistance Hotline which is available for the public to contact our knowledgeable staff of hazardous waste inspectors. The hazardous waste staff members are available to answer questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program, including the administrative plans and documents required under the Hazardous Waste Rules. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets on specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policies, regulatory interpretation letters and networking with other state or federal agencies to answer any questions at a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll-free at (1-866) HAZ-WAST (in-state only) or at (603) 271-2942.

Monadnock Paper Mills, Inc.
Notice of Past Violation
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DES

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Tammy Calligandes, or Tod Leedberg, RCRA Compliance Supervisor at 271-2942. Thank you for your cooperation.

Sincerely,

~~COPY~~

John J. Duclos, Administrator
Hazardous Waste Compliance Bureau
Waste Management Division

cc: DB/RCRA/NOPV/Archives
Anthony P. Giunta, P.G., Director, WMD/ Paul L. Heirtzler, P.E., Esq., Administrator, Waste Management Programs
Gretchen Hamel, Administrator, DES Legal Unit
Richard Verney, CEO, Monadnock Paper Mills
Paul Ciccone, VP of Manufacturing, Monadnock Paper Mills

E-mail: JJD/SD

Enclosure: Hazardous Waste Generator Inspection Report
DES Environmental Fact Sheet # WMD-HW-6 "Contaminated Cloth Wipers for Laundering"